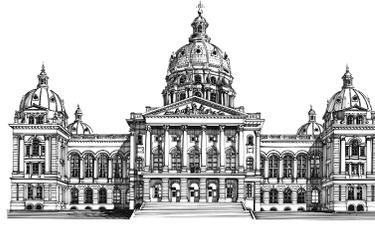


# Iowa Legislative Fiscal Bureau

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## Financing Changes to the 260E Job Training Program

### ISSUE

Section 22 of SF 2296 (FY 1999 Economic Development Appropriations Act) expanded the financing and repayment options available for job training projects funded through Chapter 260E, Code of Iowa. During the 1998 Legislative Session, the Legislative Fiscal Bureau (LFB) estimated, with the assistance of the community colleges, the annual fiscal impact of the changes to be \$60,000, beginning in FY 1999. This **Issue Review** summarizes responses to LFB questionnaires distributed during the interims of 1998 and 1999 concerning community college use of the expanded financing and payment options.

### AFFECTED AGENCIES

Department of Education – Community College Division  
Department of Economic Development - Workforce Development Fund

### CODE AUTHORITY

Section 15A.8, Code of Iowa  
Chapter 260E, Code of Iowa

### BACKGROUND

Chapter 260E, Code of Iowa allows Iowa's community colleges to fund job training projects for an employer or a group of employers through the issuance of bonds. Repayment of the bonds is made through a pledge of:

1. A portion of the trained employees state income tax withholding.
2. A portion of the incremental property tax increase associated with a new or expanded employment project.
3. A stand-by property tax levy utilized in instances where the first two revenue sources are insufficient.

In most instances, the income and/or property tax provisions are sufficient to repay a bond issue. The bonds are usually sold for a term of ten years, with many paid off in seven or eight years. After a bond is repaid (or a particular company's portion of the bond), Sections 15.342A and 422.16A, Code of Iowa, require the withholding tax income stream to be diverted to the Department of Economic Development's Workforce Development Fund. The maximum

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annual amount of this diversion to the Fund is capped at \$10.0 million. Once the cap is reached, excess withholding tax from completed projects for the remainder of the fiscal year is deposited to the State General Fund. The first year the Workforce Development Fund should reach the cap is projected to be FY 2002.

### **CURRENT SITUATION**

An LFB questionnaire asked the fifteen community colleges to estimate the fiscal impact of the following two Code of Iowa changes in each of the next three fiscal years (FY 1999 through FY 2001).

A) New Section 15A.8(1), Code of Iowa reads:

*“As an additional means to provide moneys for the payment of the costs of a new jobs training project or multiple projects under chapter 260E and this chapter, a community college may make an advance or loan, including an interfund transfer or a loan from moneys on hand and legally available, to be paid from the same sources and secured in the same manner as certificates described in sections 15A.7 and 260E.6.”*

B) New Section 15A.8(2), Code of Iowa reads:

*“Revenues from a job training agreement received prior to the completion by a business of its repayment obligation for a project and not pledged to certificates, loans, or advances, and not necessary for payment of principal and interest maturing on such certificates, loans, or advances, may be applied by the community college to the reduction of any other outstanding certificates, loans, or advances.”*

### **FISCAL IMPACT**

New Section 15A.8(1), Code of Iowa allows a community college to finance a project with its own money and have the loan repaid with income and/or property tax. The fifteen colleges responded there was no fiscal impact of this change. The responses stated that either the college would have no funds of its own available or the college had no intention of using the funding mechanism.

New Section 15A.8(2), Code of Iowa allows a community college to use income tax and property tax revenue from projects recently repaid in full to repay other projects when the income stream is insufficient to repay the original financing agreement.

For the 1998 questionnaire, the community colleges estimated the fiscal impact to be \$115,000 to \$160,000 per year, beginning in FY 1999, up to \$100,000 per year more than estimated during the 1998 Legislative Session. Since the legislative changes had just taken effect, all three years were estimates.

For the 1999 questionnaire, the community colleges reported the actual FY 1999 fiscal impact was \$98,000, while the projected impact for FY 2000 and FY 2001 is \$182,000 and \$152,000 respectively. For a list of 260E projects that required extraordinary withholding tax funding in FY 1999 from other projects, please see **Attachment A**.

**Use of Extraordinary Withholding Tax Financing by Community Colleges**

Questionnaire	FY 1999	FY 2000	FY 2001	Total
1998	\$114,000	\$161,000	\$154,000	\$429,000
1999	\$98,000	\$182,000	\$152,000	\$433,000
Fiscal Note	\$60,000	\$60,000	\$60,000	\$180,000

FY 1999 amount for 1999 questionnaire is actual, the remainder are estimates.

Revenue to the Workforce Development Fund will be reduced due to this fiscal impact until the \$10.0 million annual cap is reached, then the fiscal impact will occur to the State General Fund (FY 2002). The benefit of the fiscal impact would occur to property tax payers in the community college area and/or the tuition-paying students of the college. There is no cap on the use of this mechanism by community colleges.

The fiscal impact of this change could grow significantly if the new mechanism allows the colleges to finance riskier projects, and those projects fail to produce enough income to repay the bonds. The reason the community colleges may finance riskier projects is because the new mechanism transfers the fiscal impact of projects with insufficient revenues from property tax payers in the community college's district to taxpayers of the State as a whole.

The fiscal impact on the Workforce Development Fund and the State General Fund could also grow if the Iowa economy experiences a downturn and the withholding tax cash flow of more companies becomes insufficient.

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**260E Projects Receiving Extraordinary Withholding Tax Revenue**

<u>College</u>	<u>Business</u>	<u>FY 1999 Amount</u>	<u>Reason additional funding was needed</u>
Kirkwood	Signode Corporation	\$ 41,448	Incorrect property tax amount credited to project
Kirkwood	Heartland, Inc.	4,100	Company closed
Iowa Western	Advanced Tool & Plastics	34,604	Not specified
Iowa Western	H & H Trailers	6,558	Not specified
Southwestern	Not specified	11,378	Not specified
		<u>\$ 98,088</u>	